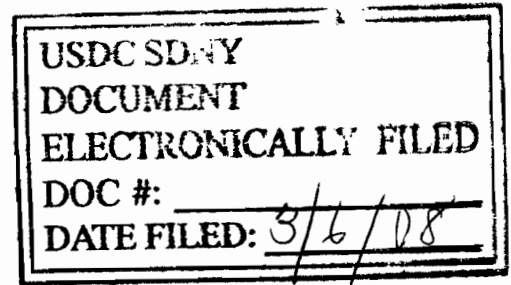


**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**



----- X  
**JOHN DINGLE,**

**Petitioner,**

**- against -**

**JAMES MANCE, Superintendent, Marcy  
Correctional Facility, ANDREW M.  
CUOMO,**

**Respondents.**  
----- X

**ORDER**

**08 Civ. 2044 (SAS)**

**SHIRA A. SCHEINDLIN, U.S.D.J.:**

The above captioned habeas corpus petition, brought pursuant to 28 U.S.C. § 2254, was filed with this Court on February 29, 2008. After examining the petition, I have concluded that the petition should not be summarily dismissed. Accordingly, it is hereby

ORDERED, that petitioner's counsel serve copies of the petition and attached papers and this order by certified mail upon the Attorney General of the State of New York, and the District Attorney of New York County, and it is further


ORDERED, that petitioner's counsel file a memorandum of law in

support of the petition, if any, no later than April 15, 2008, and it is further

ORDERED, that the respondent file an answer to the petition, or other pleading, along with the record on appeal, appellate briefs, and relevant trial and post-conviction records and transcripts, within ninety (90) days of the receipt of petitioner's memorandum of law. Respondent is given ninety rather than the usual thirty days in response to the frequent request for an additional sixty days to receive and review the record on appeal. Because the additional time is incorporated into respondent's response time, no extensions will be granted, and it is further

ORDERED, that, should the petitioner wish to file a reply to the respondent's answer, such reply shall be filed within fifteen (15) days of the receipt of the answer.

SO ORDERED:

  
Shira A. Scheindlin  
U.S.D.J.

Dated: New York, New York  
March 5, 2008

**- Appearances -**

**For Petitioner:**

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**For Respondents:**

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